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HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195		CHOI, MICHAEL P
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 September 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-15</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-15</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All   b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of

the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maruyama et al.

(US 6,385,289 B1) in view of Kageyama et al. (US 6,594,442 B1).

Regarding Claim 1, Maruyama et al. teaches a computer-readable medium having a data

structure for managing reproduction of still images recorded on the computer-readable medium,

comprising:

- a data area storing at least first and second still images (see Fig. 3 – data area having VOBU

   containing video packs (Fig. 11)); and

- a playlist area storing at least one playlist (Fig. 3 – having a program chain in audio & video data

   area), the playlist including mark information (Fig. 8 – having a cell ID number within a program

   chain), the mark information providing presentation information on the first and second still

   images to provide for at least skipping (Fig. 8 – program chains skipping between various cells,

   having still images) from reproducing the first still image to reproducing the second still image

   (Fig. 11 – C_IDN#1 having a navigation pack containing presentation control information).

Maruyama et al. fails to explicitly teach a first and second still image. Kageyama et al. teaches the first and second still images (Figs. 12, 13, 16 - still images #1 and #2 as accorded to their address).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have video, which comprises still images as constituents of each VOB, to have a cell ID to identify the area in which a program chain plays back data as determined by either the original program chain or as defined by user since within each VOB, there contains a still image (Fig. 12).

Regarding Claim 2, Maruyama et al. teaches the computer-readable medium of claim 1, wherein the mark information includes a first mark associated with the first still image and a second mark associated with the second still image, the first and second marks providing the presentation information on the first and second still images, respectively (Figs. 11, 27 – C_IDN#1 having a video object unit and C_IDN#2 having a video object unit each containing a navigation pack with presentation control – Figs. 12, 13).

Maruyama et al. fails to explicitly teach a first and second still image. Kageyama et al. teaches the first and second still images (Figs. 12, 13, 16 - still images #1 and #2 as accorded to their address).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have video, which comprises still images as constituents of each VOB, to have a cell ID to identify the area in which a program chain plays back data as determined by either the original program chain or as defined by user since within each VOB, there contains a still image (Fig. 12).

Regarding Claim 3, Maruyama et al. teaches the computer-readable medium of claim 2, wherein the first mark includes a first indicator indicating at least a stream of data where the first mark is placed (Figs. 12, 27 – VOBU, 1411 containing a navigation pack (Fig. 11) having a pack header (Fig. 12, 110)); and the second mark includes a second indicator indicating at least a stream of data where the second

mark is placed (Figs. 12, 27 – VOBU, 1412 containing a navigation pack (Fig. 11) having a pack header (Fig. 12, 110)).

Regarding Claim 4, Maruyama et al. teaches the computer-readable medium of claim 2, wherein the first mark includes a first indicator indicating a point in a stream of data where the first mark is placed (Figs. 12, 27 – VOBU, 1411 containing a navigation pack (Fig. 11) having a pack and system header (Fig. 12, 110, 111)); and the second mark includes a second indicator indicating a point in a stream of data where the second mark is placed (Figs. 12, 27 – VOBU, 1412 containing a navigation pack (Fig. 11) having a pack and system header (Fig. 12, 110, 111)).

Regarding Claim 5, Maruyama et al. teaches the computer-readable medium of claim 2, wherein the first mark includes a type indicator indicating a type of the first mark, and the second mark includes a type indicator indicating a type of the second mark (Col. 14, lines 38+ - containing a stream ID for both pack and system headers).

Regarding Claim 6, Maruyama et al. teaches the computer-readable medium of claim 2, wherein the mark information indicates a number of marks in the mark information (Fig. 27 – VOBU containing various sector numbers for each pack).

Regarding Claim 7, Maruyama et al. teaches the computer-readable medium of claim 2, wherein the first mark points to the first still image and the second mark points to the second still image (Fig. 12 – wherein a first pack and system header associates with the subsequent video packs, each have a still picture for the first mark and second pack and system header associates with the subsequent video packs, 88, also having a still picture for the second mark).

Regarding Claim 8, Maruyama et al. teaches a computer-readable medium having a data structure for managing reproduction of still images recorded on the computer-readable medium, comprising:

- a navigation area including a plurality of marks (Fig. 12 – navigation pack, 86, having a pack and system header), at least a portion of the marks associated with still images, each mark associated with a still image serving as a pointer to the still image (Fig. 12 – each header associating with subsequent video packs, containing a still picture) to provide for skipping between still images during reproduction (Fig. 8 – program chains skipping between various cells, having still images).

Regarding Claim 9, Maruyama et al. teaches the computer-readable medium of claim 8, wherein each mark associated with a still image includes an indicator indicating at least a stream of data where the mark is placed (Col. 14, lines 38+ - stream ID).

Regarding Claim 10, Maruyama et al. teaches the computer-readable medium of claim 8, wherein each mark associated with a still image includes an indicator indicating a point in a stream of data where the mark is placed (Figs. 12, 27 – VOBU, 1412 containing a navigation pack (Fig. 11) having a pack and system header (Fig. 12, 110, 111)).

Regarding Claim 11, Maruyama et al. teaches the computer-readable medium of claim 8, wherein each mark associated with a still image includes a type indicator indicating a type of the mark (Col. 14, lines 38+ - containing a stream ID for a pack and system header).

Regarding Claim 12, Maruyama et al. teaches a method of reproducing a data structure for managing reproduction of still images recorded on the computer-readable medium, comprising:
- reproducing at least one playlist from the computer-readable medium, the playlist including mark information (Fig. 8 – having a cell ID number within a program chain), the mark information

providing presentation information on first and second still images to provide for at least skipping (Fig. 8 – program chains skipping between various cells, having still images) from reproducing the first still image to reproducing the second still image (Fig. 11 – C_IDN#1 having a navigation pack containing presentation control information).

Maruyama et al. fails to explicitly teach a first and second still image. Kageyama et al. teaches the first and second still images (Figs. 12, 13, 16 - still images #1 and #2 as accorded to their address).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have video, which comprises still images as constituents of each VOB, to have a cell ID to identify the area in which a program chain plays back data as determined by either the original program chain or as defined by user since within each VOB, there contains a still image (Fig. 12).

Regarding Claim 13, Maruyama et al. teaches an apparatus for reproducing a data structure for managing reproduction of still images recorded on the computer-readable medium, comprising:

- a driver for driving an optical reproducing device to reproduce data recorded on the computer-readable medium (Fig. 19, 32);

- a controller configured to control the driver (Fig. 19, 36) to reproduce at least one playlist from the computer-readable medium (in at least Col. 2, Lines 30-35 – playback of program chains – Fig. 34), the playlist including mark information (Fig. 8 – having a cell ID number within a program chain), the mark information providing presentation information on first and second still images (Fig. 11 – C_IDN#1 having a navigation pack containing presentation control information) to provide for at least skipping from reproducing the first still image to reproducing the second still image (Fig. 8 – program chains skipping between various cells, having still images).

Maruyama et al. fails to explicitly teach a first and second still image. Kageyama et al. teaches the first and second still images (Figs. 12, 13, 16 - still images #1 and #2 as accorded to their address).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have video, which comprises still images as constituents of each VOB, to have a cell ID to identify the

area in which a program chain plays back data as determined by either the original program chain or as defined by user since within each VOB, there contains a still image (Fig. 12).

Regarding Claim 14, Maruyama et al. teaches a method of recording a data structure for managing reproduction of at least still images recorded on a computer-readable medium, comprising:

- recording (Col. 26, lines 21+; Fig. 25 - recording of video and audio data in data area) a plurality of marks in navigation area of the computer-readable medium, at least a portion of the marks associated with still images (Fig. 12 – each header associating with subsequent video packs, containing a still picture), each mark associated with a still image serving as a pointer to the still image (Fig. 12 – wherein a first pack and system header associates with the subsequent video packs, each have a still picture for the first mark and second pack and system header associates with the subsequent video packs, 88, also having a still picture for the second mark) to provide for skipping between still images during reproduction (Fig. 8 – program chains skipping between various cells, having still images).

Regarding Claim 15, Maruyama et al. teaches an apparatus for recording a data structure for managing reproduction of at least multiple reproduction path video data on a computer-readable medium, comprising:

- a driver for driving an optical recording device to record data on the computer-readable medium (Fig. 19, 32);

- an encoder for encoding at least multiple reproduction path video data (Fig. 19, 50 – encoder); and

- a controller for controlling the driver (Fig. 19, 36 – data processor) to record (Col. 26, lines 21+; Fig. 25 - recording of video and audio data in data area) a plurality of marks in navigation area of the computer-readable medium (Fig. 12 – each header associating with subsequent video packs, containing a still picture), at least a portion of the marks associated with still images, each mark associated with a still image serving as a pointer to the still image (Fig. 12 – wherein a first pack

and system header associates with the subsequent video packs, each have a still picture for the first mark and second pack and system header associates with the subsequent video packs, 88, also having a still picture for the second mark) to provide for skipping between still images during reproduction (Fig. 8 – program chains skipping between various cells, having still images).

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Choi whose telephone number is (571) 272-9594. The examiner can normally be reached on Monday - Friday 8:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MC

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